"No," came the answer.
"Hew did it vary from that?" contin-

"No," came the answer.

"Hew did it vary from that?" continued Mr. Brown.

"I have the use of it while I am in Mcc," explained the Commissioner.

"He has assigned one to you?" selped Mr. Brown.

"Yes, sir," replied Mr. Enright.

"And he has not given it to you?" juestioned the counsel.

"Not yet," replied the Commissioner.

He wend have given it to me if I vanted it. I told him I would discuss hat with him after I got through with he office, and that is some time away."

"You meant you would talk it over?" sked the examiner.

"As that is some time away, Senator, we do not need to talk about it now. Is my leaving the office is some time away, we won't discuss it much now," concluded the Commissioner.

Mr. Enright's defense to the objections raised by the counsel to the examenalties upon members of the force who had been found guilty of serious riolations was that many of the cases fitted were "border-line cases"; that guilt had not been absolutely established, even though the records so stated, and that the policy of the department had been not to dismiss a policeman where there was any chance of the decision being reversed by the courts.

that many patrolmen had to be reinstated and reimbursed with back pay.

The evidence showed that the penalties imposed were not always equitable, one man being heavily fined for a comparatively trivial violation, while another would be let off with a slight pleaded that the department is not expected by the courts of follow strict court procedure in that it was merely a disciplinary matter and not a court action.

The Commissioner said that this method had obtained during his term of office and that he had 3,000 cases of breach of discipline within the department this year, adding that there were 11,500 men now on the force.

Coming down to specific cases, Mr. Brown produced the recipred of men who were found guilty of making false entries, of demanding sums of money from others by force, of policemen obtaining grocesies "on their shields" and refusing to pay for them.

Police Practices Bared

In connection with the latter, Commissioner Enright said it was a very missioner Enright said it was a very many matter and not a court at the many was found guilty of or dering and taking from a store a pound of the commissioner in connection with the stater, Commissioner Enright said it was a very missioner Enright said it was a very missioner Enright said it was a very more many to make the surrounding circumstances.

"We did not find him guilty of the full store of conformed form James Nikkas were full so for the surrounding circumstances." The this Mr. Brown offered.

To this Mr

When the counsel drew attention to the fact that the men had been found guilty, according to the record, of offenses like extortion, messault, theft and other charges, and had only been fined, the Commissioner insisted that the written comment "guilty" on the man's record did not necessarily mean that he was guilty as charged. He may have been found guilty merely on the "surrounding circumstatces."

Mr. Brown then said, "This is a rew one on mc. I have never heard of such a charge before."

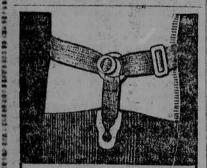
"Do you mean to tell me," asked the counsel, "that a policeman who is brought up before you for trial, when the surrounding circumstation who is the counsel, "that a policeman who is brought up before you for trial, when the fact that the men had been found guilty cedure," commented the Commissioner, "but you couldn't see anything criminal about a man going into a store and ordering something and refusing to twenty days for each time and takes it and refuses to pay for it. We have thousands of those cases."

"You don't have many cases like that?" questioned Mr. Brown, in amazement, "Yes," replied the Commissioner; "but you couldn't see anything criminal about a man going into a store and ordering something and refusing to twenty days for it. "Yes, but it is not stealing it," in sisted Mr. Enright. "He orders something and takes it and refuses to pay for it. We have thousands of those cases."

"You don't have many cases like that?" questioned Mr. Brown, in amazement protected."

Patrolmar 224 he had Arch Fund, ordering something and refusing to twenty days for it. "Yes, but it is not stealing it," in sisted Mr. Enright. "He orders something and takes it and refuses to pay for it. We have thousands of those cases."

"You don't have many cases like that?" questioned Mr. Brown, in amazement protected."



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hearted man, to which Commissioner Enright replied he was "very kind." Auto Called "Kindness" "He presented you with an automobile, didn't he?" asked Mr. Brown. "Not exactly," replied the Commissioner, "that after reading these cases I have the discretionary power to determine in my judgment, as has the Deputy Commissioner, whether all the facts warrant the imposition of an extreme penalty." No," came the answer. System of Punishment Wood of his guilt, is found guilty by you?" "I mean to say, Senator," replied the Commissioner, "that after reading these cases I have the discretionary power to determine in my judgment, as has the Deputy Commissioner, whether the man is guilty and whether all the facts warrant the imposition of an extreme penalty." No Witnesses Introduced at Trial of Ex-Detective Record on Commissioner and the facts warrant the imposition of an extreme penalty." System of Punishment Court Calls Hearing Farcical Wide Scope in

Based on Complaint Made by Woman Seventeen Months Ago; Assistant District Attorney Rebuked left the organization because of your

sible to bring witnesses to testify against him.
"While perjury is one of the most serious crimes known to the law, the indictment against Moloney has been

saloon with his revolver when the latter had been about the fining of Policeman wanted to supply a glass into which the policeman wanted to pour some whisky which the latter had brought with him. He was found ascident resulting in breaking the leg of David Greenberg, sixty-five years old, of 75 East 119th Street. When the matter came to court Brandon, it appears, changed his testimony, causing Greenberg to lose his suit.

"This was perjury, wasn't it?" asked Mr. Brown.

"I don't know," replied the Commissioner, "but what I would like to know is why the commanding officer, at that time Dan Costigan, why did he say that the charge against him was mak-

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departs.

Joseph Moloney, former detective on the Vice Squad in the 4th Inspection District, partner of Detective John J. Gunson, against whom charges are also pending, was acquitted by a jury in General Sessions yesterday before Judge Morris Koenig, who rebuked Jerome Simmons, Assistant District Attorney, for his method of handling the case.

Moloney was charged with perjury, and the verdict of not guilty returned by the jury was directed by the court after both state and defense had announced they had no evidence to present. The entire proceeding occupied four minutes. Before directing the

ing a false entry in his memorandum book, instead of giving false testimony in court and coloring it, if it was wrong?" that no decision of his had been reversed by any court.

Mr. Brown took an opposite view, and said that no man could be punished

Hines Granted

Calls Up Talley Case

Judge Koenig demanded to know why the indictment against Gunson should not be dismissed. Assistant District Attorney Simmons insisted, however, on the impaneling of a jury to try Gunson in the same manner.

That no decision of his had been reversed by any court.

Mr. Brown took an opposite view, and said that no man could be punished without written charges having been preferred against him and he was tried on those charges.

The inequalities of the penalties imposed were remarked upon by Mr. Brown in connection with the case of Sergeant Ezekial Kellar, who refused to permit Special Deputy Police Commissioner Harriss to pass through the parade lines in Fifth Avenue on April 26, 1918, and spoke to the Deputy Commissioner in a "very gruff and disrespectful tone of voice." For this he was fined twenty days' pay.

As against this, Mr. Brown referred the theorem of specific mandicates are enthusiastic results.

is missioner in a "very gruff and disrespected to the cyoice." For this he was fined twenty days' pay.

As against this, Mr. Brown referred to the case of a sasult where the fines imposed were trivial. The Commissioner insisted that the Harriss matter was insubordination and was not at all in the class of the other cases.

The case of Charles F. Tighe, in volved in a recent clubbing affair, was tightly touched upon. His record showed that he had been up on charges the times since December 31, 1916.

"Is that a good record?" Mr. Brown respected to the country of the coun

Gangster Slain as Sequel to Murder Of Johnny Spanish

Vote Recount

(Continues from page one)

The organization because of your litton?

2. Didn't you withdraw your suptifrom William R. Hearst when he is the organization candidate for remonination and what do you know about ballot boxes being thrown into the fixer at that time?

3. Didn't you withdraw your suptifrom Judge Seabury when he was organization candidate for Govor of the State of New York?

4. Didn't you withdraw your suptifrom Judge Seabury when he was organization candidate for Govor of the State of New York?

4. Didn't you oppose Senator O'Grady with the was the regular organization didate for renomination?

5. What was the real reason why refused to renominate Judge Newger sfter he had served two terms, indorsed by the Republican party entitled to renomination under the ciple that judges who have served hully are entitled to renomination under the ciple that judges who have served hully are entitled to renomination under the ciple that judges who have served hully are entitled to renomination under the ciple that judges who have served hully are entitled to renomination under the ciple that judges who have served hully are entitled to renomination under the ciple that judges who have served hully are entitled to renomination under the ciple that judges who have served hully are entitled to renomination under the ciple that judges who have served hully are entitled to renomination under the ciple that judges who have served hully are entitled to renomination under the ciple that judges who have served hully are entitled to renomination under the ciple that judges who have served hully are entitled to renomination under the ciple that judges who have served hully are entitled to renomination under the ciple that judges who have served hully are entitled to renomination and the formation and

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Condensed Statement of Condition on Sept. 6, 1921 as reported to the State Banking Department

RESOURCES Cash on Hand and in Banks \$ 41,019,243.86 Exchanges for Clearing House , 19,734,388.13

	00,0/0,20/.40
Time Loans on U.S. Government Securities	13,920,247.63
Other Time Loans and Bills Discounted	97,400,286.88
U. S. Government Securities (at market value) .	12,668,236.90
New York State and Municipal Bonds	13,680,857.18
Other Bonds (at market value)	19,427,450.88
Stock of Federal Reserve Bank and Other	120
	3,015,501.46
Bonds and Mortgages	1,117,000.00
Real Estate	8,908,772.22
Accrued Interest and Accounts Receivable.	3,511,704.46
Customers' Liability on Acceptances	12,299,777.00
The state of the s	\$307,581,674.06
TIADITITETES =	

LIABILITIES

\$ 20,000,000.00

11,250,000.00 Undivided Profits . . . 8,262,170.36 1,000.00 235,305,279.58 16,730,090,35 Accrued Interest Payable 420,052.14 Unearned Interest 410,375.59 2,223,819.16 Outstanding Acceptances 12,978.886.88 \$307,581,674.06

Downtown Office: Fifth Avenue Office: 57th Street Office: 16 Wall Street

Surplus Fund . .

Unpaid Dividends

at 42nd Street at Madison Avenue Paris Office: 3 & 5 Place Vendome